IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

THURSDAY, THE 9TH AUGUST 2007 / 18TH SRAVANA 1929

Crl.MC.No. 1693 of 2004

CRIME NO.57/2003 of CENTRAL POLICE STATION, ERNAKULAM

.....

PETITIONER/ACCUSED:

P.K. DASAN, PANDARAPARAMBIL VEEDU,
THRIKKUR P.O., THRISSUR.

BY ADV. SRI.SAIBY JOSE KIDANGOOR

RESPONDENT/COMPLAINANT:

STATE OF KERALA, REP. BY THE SUB
INSPECTOR OF POLICE, IN CRIME NO.57/2003
OF CENTRAL POLICE STATION, ERNAKULAM,
REPRESENTED BY THE PUBLIC PROSECUTOR,
ERNAKULAM.

BY PP SRI.P.RAVINDRA BABU

THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON 09/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.P. Balachandran, J.

Crl.M.C.No. 1693 of 2004

ORDER

Counsel for the petitioner is absent and time is prayed for on his behalf. It is seen that this Crl.M.C. is one filed on 28.6.2004. The prayer in this Crl.M.C. is to quash Annexure-A final report in Crime No.57/03 of Central Police Station, Ernakulam, registered for offences under Sections 337 and 304 IPC. The records submitted by the prosecution along with the final report are not produced in this Crl.M.C. and hence, this Court is unable to appreciate as to whether there is any material in the prosecution case, so as to enable charge being framed against the petitioner.

In the result, I dismiss this Crl.M.C. without prejudice to the petitioner advancing all the contentions that he has raised in his Crl.M.C. before the trial court, at the time of preliminary hearing, if at all charge is not yet framed.

9th August, 2007 (K.P.Balachandran, Judge)

tkv